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Date: March 8, 2005

Must Be Sent By:

To: Examiner: Odom, Curtis B.  
Art Unit: 2634

Fax No: (703) 872-9506

Company: U.S. Patent &amp; Trademark Office

Phone No:

From: Mark J. Danielson

Phone No: (650) 233-4777

User No: 13068

C/M No: 073169-020521

Re: U.S. Serial No. 09/839,565  
Filing Date: April 20, 2001  
First Named Inventor: William McFarlandCERTIFICATE OF FACSIMILE TRANSMISSION

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Attachments:

## 1. Response to Restriction Requirement

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
William McFarland

Confirmation No. 1458

Serial No.: 09/839,565  
Filed: April 20, 2001

Examiner: Odom, Curtis B.  
Art Unit: 2634

For: Multi-Carrier Communication Systems  
Employing Variable symbol Rates and  
Number of Carriers

Atty. Docket No. 073169-0269521  
ATH-025

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to (703) 872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 8 2005.

By: Bobbie Juras  
Bobbie Juras

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed February 8, 2005, Applicants elect Group I, claims 1-25 and 79-92 drawn to changing a symbol rate and number of carriers during communication between a transmitter and receiver, classified in class 375, subclass 260. This election is made with traverse.

In view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

The Commissioner is authorized to charge any required fee(s) or credit any overpayment(s) to PILLSBURY WINTHROP LLP's deposit account no. 50-2213 (order no. 073169-0269521).

Respectfully submitted,  
PILLSBURY WINTHROP LLP

Date: March 8 2005

Mark J. Danielson  
Mark J. Danielson

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(Reg. No.)

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Please reply to Customer No. 27,498